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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/554,319	11/28/2006	Domenico Binello	32352-224648 RK	4549
26694	7590	02/05/2009	EXAMINER	
VENABLE LLP			ALTUN, NURI B	
P.O. BOX 34385				
WASHINGTON, DC 20043-9998				
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			3657	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/554,319	<b>Applicant(s)</b> BINELLO ET AL.	
	<b>Examiner</b> NURI ALTUN	<b>Art Unit</b> 3657	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>24 October 2005</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This communication is a first Office Action Non-Final rejection on the merits.

Claims 1 and 3-14 are currently pending and have been considered below.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1, 3-8, 13 and 14** are rejected under 35 U.S.C. 102(b) as being anticipated by **Morone (EP 1,227,267)**.

**As per claim 1**, Morone teaches a pulley (200) for a continuously variable transmission, the pulley comprising:

a supporting shaft (2);

a fixed half-pulley (201), which is coaxial and fixed to said supporting shaft;

a mobile half-pulley (202), which is coaxial to said supporting shaft and is able to slide with respect to said fixed half-pulley so as to define with the latter a race of variable amplitude and to be engaged by a belt (3) of said drive; and

a device for compensating the axial thrust, comprising first cam means (208) and second cam means (207), which are carried by said fixed half-pulley and said mobile half-pulley, respectively, and are coupled in contact with one another to impart an

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additional axial thrust on said mobile half-pulley in the direction of compression of said belt in response, in use, to a torque acting on said pulley (see paragraph 0030);

said pulley being characterized in that said fixed half-pulley (201) is fixed to said supporting shaft (2), and in that said first cam means (208) are defined by a single tubular body made of plastic material (210) co-moulded on said supporting shaft (paragraph 0037).

**As per claim 3**, Morone teaches said second cam means (207) are defined by a cam-follower portion (paragraph 0021, lines 1-2) made of a single piece with said mobile half-pulley (paragraph 0020, lines 1-2 and see Fig. 1).

**As per claim 4**, Morone teaches said mobile half-pulley and said cam-follower portion are made of aluminium (paragraph 0043).

**As per claim 5**, Morone teaches said mobile half-pulley (202) is slidably fitted on a supporting bushing (300) made of plastic material (paragraph 0044, lines 4-5).

**As per claim 6**, Morone teaches said supporting bushing (300) forms part of said body made of plastic material (paragraph 0044).

**As per claim 7**, Morone teaches said supporting bushing is made of a self-lubricating material (paragraph 0044, lines 4-5).

**As per claim 8**, Morone teaches said mobile half-pulley is coupled to said fixed half-pulley with radial play (see Fig. 1).

**As per claim 13**, Morone teaches it comprises at least one retention seat (213) made in one between said supporting shaft and said body made of plastic material, and at least one appendage (211), which is carried by the other one between said supporting shaft and said body made of plastic material and engages said retention seat.

**As per claim 14**, Morone teaches it comprises a spacer ring (2b) carried by one of said half-pulleys and fitted to a front surface thereof in a position radially internal with respect to said race and facing the other of said half-pulleys (see Fig. 1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **9-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Morone (EP 1,227,267)**, in view of **Hokanson et al. (5,967,286)**.

**As per claim 9**, Morone teaches an elastic element (206) axially pre-loaded for pushing said mobile half-pulley towards said fixed half-pulley (paragraph 0028, lines 5-7), but doesn't explicitly disclose provided positioning means for pre-loading torsionally said elastic element.

Hokanson et al. teach an adjustable driven clutch having positioning means (290, 296) for pre-loading torsionally said elastic element (see Fig. 10 and col.6, lines 20-21).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the pulley of Morone to include the positioning means as taught by Hokanson et al. in order to provide an inexpensive tensioning mechanism.

**As per claim 10**, Morone teaches all the structural elements of the claimed invention, as mentioned in claim 9 above, but don't explicitly disclose said positioning means comprise adjustment means for varying the torsional pre-loading of said elastic element.

Hokanson et al. teach an adjustable driven clutch having the positioning means comprise adjustment means (290) for varying the torsional pre-loading of said elastic element.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the pulley of Morone to include the adjustment means as taught by Hokanson et al. in order to provide an inexpensive tensioning mechanism.

**As per claim 11**, Morone teaches all the structural elements of the claimed invention, as mentioned in claim 9 above, but don't explicitly disclose said adjustment means are carried by an element of axial pre-loading of said elastic element.

Hokanson et al. teach said adjustment means are carried by an element (282) of axial pre-loading of said elastic element.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the pulley of Morone to include the adjustment means as taught by Hokanson et al. in order to provide an inexpensive tensioning mechanism.

**As per claim 12**, Morone teaches elastic element is defined by a helical spring (206), however doesn't explicitly disclose said adjustment means comprising a ring of holes, which are set at an angular distance apart from one another and are selectively engageable by one end of said helical spring.

Hokanson et al. teach said adjustment means comprising a ring of holes (290), which are set at an angular distance apart from one another and are selectively engageable by one end of said helical spring (see Fig. 10 and col.6, lines 13-24).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the pulley of Morone to include the adjustment means as taught by Hokanson et al. in order to provide an inexpensive tensioning mechanism.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The reference Huddleston (5,647,810) teaches a drive arm-engaging roller for centrifugal clutch.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NURI ALTUN whose telephone number is (571)270-5807. The examiner can normally be reached on Mon-Fri 7:30 - 5:00 with first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on (571) 272 7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bradley T King/  
Primary Examiner, Art Unit 3657

NBA